

INITIAL RECOMMENDATIONS

APRIL 2006 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



INITIAL
RECOMMENDATIONS

APRIL 2006 APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

August 25, 2006

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INTRODUCTION

This report presents the Department of Planning and Zoning's initial recommendations addressing applications to amend the Comprehensive Development Master Plan (CDMP), which were filed for consideration during the April 2006 Plan Amendment Review Cycle. A total of 16 applications were filed during this amendment cycle, 15 by private companies and 1 by the Miami-Dade County Planning and Zoning Department (Application 16). The report contains the review and recommendations of 15 applications; Application 4 was not reviewed due to the applicant's decision to withdraw their application. The report also contains necessary background information and analyses on which the recommendations are based.

Application Review Process and Schedule of Activities

Following is a summary of the Plan review, amendment activities and schedule that will be followed by this cycle to comply with the CDMP procedural requirements contained in Section 2-116.1, Code of Miami-Dade County and State law. Table 1 on page vi lists the principal activities which will occur under this process and presents the timeframes for those activities in accordance with the State requirements and the County Code.

For this amendment cycle, the application filing period extended from April 1 through May 1, 2006. Miami-Dade County's adopted procedures allow for the filing of requests to amend all provisions of the Comprehensive Development Master Plan (CDMP) and changes to the Urban Development Boundary (UDB) at this time.

The CDMP amendment process involves two phases. The first phase occurs between the time applications are filed and the time the Board of County Commissioners conducts its first hearing and takes action to transmit applications to the Florida Department of Community Affairs (DCA) and other associated State agencies for possible review and comment, or adoption of eligible small-scale Land Use Plan map amendments on an expedited schedule. During the first phase, affected and neighboring property owners are notified of nearby Land Use Plan map amendment requests. Section 2-116.1 authorizes Community Councils to conduct public hearings and issue recommendations on applications that directly affect their areas. These hearings must be held before the Planning Advisory Board, acting as the County's "Local Planning Agency" and the Board of County Commissioners.

The Department of Planning and Zoning will submit its initial recommendations to the Planning Advisory Board (PAB) regarding each requested change, no later than August 25, 2005. Each Community Council in which a proposed amendment to the Land Use Plan map is located is scheduled to hold a public hearing to discuss the Land Use Plan map application(s) and may formulate recommendation(s) regarding the request(s) in

September 2006. The PAB is scheduled to hold a public hearing on October 16, 2006 to receive comments and recommendations on the proposed amendments, formulate recommendations to the Board of County Commissioners regarding adoption of any requested small-scale amendments, transmittal of recommendations to the Florida Department of Community Affairs (DCA) of all other requested amendments and any small-scale requests that the PAB recommends to be considered further through the regular procedure. The Board of County Commissioners is currently scheduled to hold a public hearing on November 20, 2006 to consider taking final action on requested "small-scale" amendments, and to consider transmittal of the other requested amendments to DCA as well as any of the requested "small-scale" amendments that the Commission elects to consider further through the regular procedure. DCA does not review adopted small-scale Land Use Plan map amendments for policy conformance or issue a Notice Of Intent addressing compliance. Unless there is a citizen challenge, adopted small-scale amendments will become effective 31 days after adoption.

"Transmittal" of a proposed amendment to the State for initial review does not constitute adoption of requested amendments. A second phase of the review addressing the standard applications not adopted as small-scale amendments, begins after transmittal of the applications to the DCA and associated State agencies. The CDMP amendment procedures in Section 2-116.1 of the County Code provide that the DCA will be requested by the County to review and comment on all transmitted amendment proposals. The DCA is expected to return comments addressing all transmitted amendment proposals in February 2007, within approximately 75 days of the transmittal date. The PAB will then conduct its final public hearing(s) within 30 days after receiving comments from the DCA. No later than after 60 days of receiving comments from the DCA, the Board of County Commissioners could conduct a public hearing and take final action on the applications. During the DCA review period, the DP&Z will also review comments received at the transmittal hearings and any additional submitted material and may issue a Revised Recommendations report reflecting any new information prior to the final public hearings. Final action by the Board of County Commissioners will be to adopt, adopt with change, or not adopt each of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be requested by the County Commission under a special amendment process, or by a party having an application undergoing the Development of Regional Impact (DRI) process requesting a concurrent amendment to the CDMP. Procedures for processing such special or DRI-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

Small-Scale Amendments

A procedure is provided for the expedited processing of "Small-Scale" amendments as defined in Section 163.3187(1)(c), F.S. This procedure authorizes the Board of County Commissioners to take final action on small-scale requests to amend the Land Use Plan

Map at its November 20, 2006 public hearing. An amendment application is eligible for expedited processing as "small-scale" amendment under the following conditions:

1. The proposed amendment involves a land use of 10 acres or less and;
2. The cumulative effect of all adopted small-scale amendments shall not exceed a total of 120 acres annually in designated urban areas such as redevelopment and downtown revitalization areas, urban infill areas, transportation concurrency exception areas, and regional and urban activity centers, however a 60 acre annual limitation applies to areas outside these specifically designated urban areas.
3. If the proposed amendment involves a residential land use, the use has a density limitation of 10 units per acre or less, unless the amendment is in a specifically designated urban area listed above;
4. The proposed amendment does not involve the same property more than once a year;
5. The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months;
6. The proposed amendment does not involve a text change to the plan, but only the future land use map; and
7. The proposed amendment is not in an area of critical state concern.

At the November 2006 public hearing, the County Commission could elect to adopt or not adopt small-scale amendments; if it does not adopt a small-scale amendment, the Commission may elect to transmit it to DCA for review along with the other non-small-scale amendment requests and take final action in April 2007, after State-agency review. Of course, failure to adopt as a small-scale amendment or to transmit effectively denies approval of the application.

Additional Information

Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1220; Miami, Florida 33128-1972; telephone 305/375-2835.

SCHEDULE OF ACTIVITIES
APRIL 2006-2007 CDMP AMENDMENT CYCLE

Application Filing Period	April 1-May 1, 2006
Deadline to withdraw Application and obtain Return of Full Fee	May 8, 2006
Applications Report published by DP&Z	June 5, 2006
Deadline for submitting Covenants to be considered in the Initial Recommendations Report	July 28, 2006
Initial Recommendations Report released by DP&Z	Friday, August 25, 2006
Community Council(s) Public Hearing(s)	Specific date(s) to be set in September 2006
Westchester Community Council (10) Application No. 5	7:00 pm, Wednesday, September 6, 2006 West Dade Regional Library, 9445 Coral Way
North Central Council (8) Application Nos. 1, 2 and 3	6:30 p.m. Wednesday, September 6, 2006 Martin Luther King, Jr. Office Building 2525 NW 62 Street
Redland Community Council (14) Application Nos. 7, 11, 12, 13 and 14	6:00 p.m. Thursday, September 14, 2006 South Dade Government Center 10710 SW 211 Street
Kendall Community Council (12) Application No. 6	6:30 p.m. Wednesday, September 20, 2006 Kendall Branch Library, 9101 SW 97 Avenue
West Kendall Community Council (11) Application Nos. 8, 9 and 10	6:30 p.m. Wednesday, September 20, 2006 Arvida Middle School, 10900 SW 127 Avenue
South Bay Community Council (15) Application No. 15	7:00 p.m. Thursday, September 21, 2006 South Dade Government Center 10710 SW 211 Street
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to Florida Department of Community Affairs (DCA)	Monday, October 16, 2006* County Commission Chamber 111 NW 1st Street
Board of County Commissioners Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	November 20, 2006* County Commission Chamber 111 NW 1 Street
Transmittal to DCA for comment	December, 2006**
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Comments	February, 2007** (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	Specific date(s) to be set in March, 2007* (Within 30 days after DCA comments received)
Public Hearing and Final Action on Applications: Board of County Commissioners	Specific date(s) to be set in April, 2007* (No later than 60 days after receipt of DCA comments)

Note: * Date is subject to change. All hearings will be noticed by newspaper advertisement.
 ** Estimated Date.



